

BOARD OF SUPERVISORS
COUNTY OF STAFFORD
STAFFORD, VIRGINIA

MINUTES

Regular Meeting

February 3, 2009

Call to Order. A regular meeting of the Stafford County Board of Supervisors was called to order by George H. Schwartz, Chairman, at 1:05 P. M., Tuesday, February 3, 2009, in the Board Chambers, Stafford County Administration Center.

Roll Call. The following members were present: George H. Schwartz, Chairman; Cord A. Sterling; Robert “Bob” Woodson; M. S. “Joe” Brito, Harry E. Crisp, II, Vice Chairman; Mark Dudenhefer, and Paul L. Milde, III.

Also in attendance were: Anthony Romanello, County Administrator; Joe Howard, County Attorney and Marty Beard, Chief Deputy Clerk.

Legislative; Presentation of A Proclamation to Recognize and Commend Sara Fartro for Her Service and Devotion to Stafford’s Sister Community Program. Mr. Robert Gibbons, past Board member, presented the proclamation.

Legislative; Report of the Superintendent of Schools. Dr. David E. Sawyer, Division Superintendent of Schools, gave a presentation on current issues and responded to Board members questions.

Legislative; Presentations by the Public. The following persons spoke on topics as identified:

- Carrie Kio - Appropriation of County funds for Schools.
- Bob Hagan - Chamber of Commerce regional atlas.
- Dean Fetterolf - Appropriation of County funds for Schools.
- Art Hart - Victory Garden.
- Wayne Carruthers - Appropriation of County funds for Schools.
- Ruth Carlone - Recognition of Sara Fartro.
- Election polls.
- Location for victory garden.
- School mentoring.
- Loss of businesses at Celebrate Virginia.
- Loss in Scott Horan's family.

Legislative; Presentations and Committee Reports by Board Members. Board members spoke on topics as identified:

- Mr. Crisp - Attended Museum Committee meeting.
- Attended Fredericksburg/Stafford Park Authority meeting.
- Attended Regional Landfill Civil War Sites committee meeting.
- Mr. Dudenhefer - Fredericksburg Area Metropolitan Planning Organization meeting.
- Transportation funds.
- Mr. Milde - Office of Internal Auditor.
- Fredericksburg Chamber of Commerce.
- Mr. Sterling - No comments.

- Mr. Woodson - No comments.
- Mr. Brito - Fatal accident on Poplar Road/Warrenton Road intersection; red light camera needed.
- Informational meetings on Rocky Pen Run Reservoir.
- Attended 14 meetings and events.
- Girl Scout Gold Award for Ashley Patterson.
- Mr. Schwartz - No comments.

Legislative; Report of the County Attorney. Mr. Joe Howard, County Attorney, commented on the following:

- Closed Meeting Agenda - legal advice regarding County Comprehensive Plan Advertisement issues.

Legislative; Report of the County Administrator. Mr. Anthony Romanello, County Administrator, commented on the following:

- FY2010 Reorganization.

Legislative; Additions to the Regular Meeting Agenda. Mr. Woodson motioned, seconded by Mr. Dudenhefer, to add two items to the Regular Agenda for discussion - (1) Mr. Sterling - Discuss honoring three individuals – first designation in Stafford Public Schools (2) Mr. Brito – Building permit fees for Fire and Rescue stations.

The Voting Board tally was:

Yea: (7) Woodson, Brito, Crisp, Dudenhefer, Milde, Schwartz, Sterling

Nay: (0)

Legislative; Consent Agenda. Mr. Dudenhefer motioned, seconded by Mr. Sterling, to adopt the Consent Agenda consisting of Items 2 thru 10, removing Item 5, 6, 7, and 8.

The Voting Board tally was:

Yea: (7) Brito, Crisp, Dudenhefer, Milde, Schwartz, Sterling, Woodson

Nay: (0)

Item 2. Finance and Budget; Approve Expenditure Listing.

Resolution R09-23 reads as follows:

A RESOLUTION TO APPROVE EXPENDITURE LISTING (EL)
DATED JANUARY 23, 2009 THROUGH FEBRUARY 2, 2009

WHEREAS, the Board has appropriated funds to be expended for the purchase of goods and services in accordance with an approved budget; and

WHEREAS, the payments appearing on the above-referenced Listing of Expenditures represent payment of \$100,000 and greater for the purchase of goods and/or services which are within the appropriated amounts;

NOW, THEREFORE, BE IT RESOLVED by the Stafford County Board of Supervisors on this the 3rd day of February 2009, that the above-mentioned EL be and it hereby is approved.

Item 3. Utilities; Award Contracts for Purchase of Process Chemicals for Water and Wastewater Treatment Facilities.

Resolution R09-64 reads as follows:

A RESOLUTION TO AUTHORIZE THE COUNTY ADMINISTRATOR
TO AWARD CONTRACTS FOR THE PURCHASE OF PROCESS
CHEMICALS

WHEREAS, the Department of Utilities needs to purchase process chemicals for use at its water and wastewater treatment facilities; and

WHEREAS, funds are available in the FY2009 Operating Budgets for the purchase of these chemicals from February 1 through June 30, 2009; and

WHEREAS, Stafford County has participated in a cooperative bid process with the Fairfax County Water Authority and other jurisdictions for the purchase of water and wastewater treatment process chemicals;

NOW, THEREFORE, BE IT RESOLVED by the Stafford County Board of Supervisors on this the 3rd day of February, 2009, that the County Administrator be and he hereby is authorized to execute contracts with Univar USA with an estimated 12-month expenditure of Two Hundred Eighty-five Thousand Three Hundred Fifty-six Dollars (\$285,356); Allegiance Chemicals with an estimated 12-month expenditure of Four Hundred Twenty-two Thousand Seven Hundred Seventy-two Dollars (\$422,772); Kuehne Chemical with an estimated 12-month expenditure of Two Hundred Eighty-eight Thousand Three Hundred Six Dollars (\$288,306); and General Chemical with an estimated 12-month expenditure of Four Hundred Six Thousand Two Hundred Seventy Dollars (\$406,270) for the purchase of process chemicals for the water and wastewater treatment facilities, subject to appropriation of funds for FY2010 for purchases between July 1, 2009 and the contract expiration date of January 31, 2010.

Item 4. Finance and Budget; Budget and Appropriate Compensation Board Funds to the Clerk of the Circuit Court.

Resolution R09-63 reads as follows:

A RESOLUTION TO BUDGET AND APPROPRIATE COMPENSATION
BOARD FUNDING TO THE CLERK OF THE CIRCUIT COURT

WHEREAS, the Supreme Court of Virginia has mandated standards for Clerk of Circuit Court data on secure remote access and public retrieval system sites; and

WHEREAS, the County has received funding from the State Compensation Board;

NOW, THEREFORE, BE IT RESOLVED by the Stafford County Board of Supervisors on this the 3rd day of February, 2009, the County Administrator be and he hereby is authorized to budget and appropriate State Compensation Board funds in the amount of Two Hundred Twenty-two Thousand Seventeen Dollars (\$222,017) to the Clerk of Circuit Court.

Item 9. Administration; Grant Authority for the Deputy County Administrator to Sign Documents, Including Deeds, in the Absence of the County Administrator.

Resolution R09-75 reads as follows:

A RESOLUTION TO GRANT THE AUTHORITY FOR THE DEPUTY
COUNTY ADMINISTRATOR TO SIGN DOCUMENTS, INCLUDING
DEEDS, IN THE ABSENCE OF THE COUNTY ADMINISTRATOR

WHEREAS, in accordance with Resolution R08-474 adopted by the Board on October 7, 2008, the County Administrator or the Director of Planning and Zoning, are authorized to execute and accept deeds regarding interest in real property to be dedicated to the County in amounts not to exceed \$100,000, with the exception of property that is being conveyed to the County pursuant to any proffer; and

WHEREAS, it is the desire of the Board to insure in the absence of the County Administrator that the Deputy County Administrator has all the authority to act on his behalf, including signing documents such as deeds;

NOW, THEREFORE, BE IT RESOLVED by the Stafford County Board of Supervisor on this the 3rd day of February 2009 that the Board be and it hereby does grant authority to the Deputy County Administrator in the absence of the County Administrator to act on his behalf, including signing documents, such as deeds, and to execute and accept deeds regarding interest in real property to be dedicated to the County in amounts not to exceed One Hundred Thousand Dollars (\$100,000), with the exception of property that is being conveyed to the County pursuant to any proffer.

Item 10. Legislative; Appoint Members to Boards, Authorities, Commissions and Committees.

Resolution R09-68 reads as follows:

A RESOLUTION TO APPOINT A MEMBER TO THE AMERICANS
WITH DISABILITIES ACT GRIEVANCE COMMITTEE

WHEREAS, in accordance with the Americans with Disabilities Act (ADA), the Board has adopted the ADA grievance procedure; and

WHEREAS, the Board, by adoption of Resolution R93-91 on February 16, 1993, established the ADA Grievance Committee; and

WHEREAS, the Grievance Committee is composed of eight residents consisting of one member from the architectural or structural engineering profession; two members who are individuals with a disability as defined by the ADA; and five members-at-large; and

WHEREAS, the Board has previously appointed the following:

<u>NAME</u>	<u>EXPIRATION</u>
Paul Shelton (Disability)	December 31, 2009
Harry Rager (Member-at-Large)	December 31, 2009
Charles Morgan (Member-at-Large)	December 31, 2009
Colleen English (Disability)	December 31, 2009
Robert Grimes (Architect/Engineer)	December 31, 2009
Shawn Lawrence (Member-at-Large)	December 31, 2009
Robert Dodson (Member-at-Large)	December 31, 2009
VACANT (Member-at-Large)	December 31, 2008

WHEREAS, a vacancy exists; and

WHEREAS, the term of membership is one year; and

WHEREAS, the Board desires to fill this vacancy;

NOW, THEREFORE, BE IT RESOLVED by the Stafford County Board of Supervisors on this the 3rd day of February 2009, that

NAME

EXPIRATION

Belinda Hurlburt
(Member-at-Large)

December 31, 2009

be and she hereby is appointed to the Americans with Disability Act Grievance Committee.

Resolution R09-79 reads as follows:

A RESOLUTION TO APPOINT A MEMBER TO THE VML/VACO
POOLED OTHER POST EMPLOYMENT BENEFITS (OPEB) FINANCE
BOARD

WHEREAS, at a meeting on December 2, 2008 the Board adopted Ordinance O08-85, which established a trust for the purpose of investing assets to fund Other Post Employment Benefits in the form set forth in the Virginia Pooled OPEB Trust Fund Agreement in accordance with Section 15.2-1500 of the Code of Virginia (1950) as amended; and

WHEREAS, in accordance with the Agreement, the Finance Board will be composed of at least three members who shall include the chief financial officer of the locality, the treasurer of the locality, and an additional member who is a citizen of the

Commonwealth with proven integrity, business ability, and has demonstrated experience in cash management and in investments; and

WHEREAS, the citizen member is appointed for a term of two (2) years expiring two years from the date of appointment;

NOW, THEREFORE, BE IT RESOLVED by the Stafford County Board of Supervisors on this the 3rd day of February, 2009, that

<u>NAME</u>	<u>TERM</u>
Laura M. Rudy Treasurer	Virtue of Office
Maria J. Perrotte Chief Financial Officer	Virtue of Office
W. Walter George Member-At-Large	January 31, 2011

be and they hereby are appointed to the VML/VACO Pooled Other Post Employment Benefits (OPEB) Finance Board.

Resolution R09-84 reads as follows:

A RESOLUTION TO APPOINT A MEMBER TO THE RAPPAHANNOCK
AREA COMMUNITY SERVICES BOARD

WHEREAS, Sections 37.1-194 through 37.1-200 of the Code of Virginia (1950), as amended, authorize the Board to appoint members to serve on the Rappahannock Area Community Services Board (RACSB); and

WHEREAS, the Board’s Bylaws allow three members from each political jurisdiction in Planning District 16, who serve three-year terms that are staggered by year and expire at the end of the fiscal year; and

WHEREAS, the Board has previously appointed the following:

<u>NAME</u>	<u>EXPIRATION</u>
David Vaughn (Member-At-Large)	June 30, 2009
Annette Johnson (Member-At-Large)	June 30, 2010
Matthew Zurasky (Member-At-Large)	June 30, 2011

WHEREAS, David Vaughn has submitted his resignation; and

WHEREAS, the Board desires to fill this vacancy;

NOW, THEREFORE, BE IT RESOLVED by the Stafford County Board of Supervisors on this the 3rd day of February, 2009, that

<u>NAME</u>	<u>EXPIRATION</u>
John Rowley (Member-At-Large)	June 30, 2009

be and he hereby is appointed to the Rappahannock Area Community Services Board.

Transportation; Consider Installation of a Watch for Children Sign on Chelsea Manor Lane in the Chelsea Manor Subdivision. Mr. Dudenhefer commented.

Mr. Dudenhefer motioned, seconded by Mr. Sterling, to adopt proposed Resolution R09-62.

Discussion ensued.

The Voting Board tally was:

Yea: (7) Crisp, Dudenhefer, Milde, Schwartz, Sterling, Woodson, Brito

Nay: (0)

Resolution R09-62 reads as follows:

A RESOLUTION TO INSTALL A WATCH FOR CHILDREN SIGN ON
CHELSEA MANOR LANE (SR-1909) IN THE CHELSEA MANOR
SUBDIVISION

WHEREAS, the Board is concerned with transportation safety on residential streets; and

WHEREAS, the Board adopted the Residential Traffic Management Plan (RTMP) on February 19, 2008 to provide Stafford County citizens with various programs to address their traffic related concerns; and

WHEREAS, the residents of the Chelsea Manor subdivision have requested the installation of a *Watch for Children* sign along Chelsea Manor Lane; and

WHEREAS, the proposed location meets the required criteria for installation, based on the current Residential Transportation Management Plan, Watch for Children Sign Program;

NOW, THEREFORE, BE IT RESOLVED by the Stafford County Board of Supervisors on this the 3rd day of February 2009, that the Board be and it hereby does approve the installation of a *Watch for Children* sign along Chelsea Manor Lane (SR-1909); and

BE IT FURTHER RESOLVED that a copy of this resolution be forwarded to the Residency Administrator of VDOT.

Administration; Consider Retirement and Voluntary Reduction in Force Incentives for County Employees. Mr. Milde commented.

The County Administrator commented further.

Ms. Tammi Ellis, Acting Executive Director of Administration, gave a presentation and responded to Board members questions.

Mr. Sterling motioned, seconded by Mr. Milde, to adopt proposed Resolution R09-69 and Resolution R09-73.

The Voting Board tally was:

Yea: (7) Dudenhefer, Milde, Schwartz, Sterling, Woodson, Brito, Crisp

Nay: (0)

Resolution R09-69 reads as follows:

A RESOLUTION TO AUTHORIZE THE COUNTY ADMINISTRATOR
TO INITIATE A RETIREMENT INCENTIVE PROGRAM FOR ELIGIBLE
COUNTY EMPLOYEES

WHEREAS, staff has been investigating ways to reduce payroll and benefit costs during these tough economic times; and

WHEREAS, Retirement Incentives are a way to reduce costs by allowing eligible employees to retire from service and receive an additional monetary benefit; and

WHEREAS, the Retirement Incentive would include severance pay as outlined in Section 14-V “Reduction in Force” of the personnel manual and an increased sick leave payout of 50%; and

WHEREAS, the Retirement Incentives shall be offered to eligible employees to the extent that funds are available and subject to the County Administrator’s approval;

NOW, THEREFORE, BE IT RESOLVED by the Stafford County Board of Supervisors on this the 3rd day of February, 2009, that the County Administrator be and he hereby is authorized to initiate a Retirement Incentive program for eligible County employees.

Resolution R09-73 reads as follows:

A RESOLUTION TO AUTHORIZE THE COUNTY ADMINISTRATOR TO
INITIATE A VOLUNTARY REDUCTION IN FORCE (V-RIF) PROGRAM
FOR COUNTY EMPLOYEES

WHEREAS, staff has been investigating ways to reduce payroll and benefit costs during these tough economic times; and

WHEREAS, a Voluntary Reduction-in-Force is a way to reduce costs by allowing employees to vacate their jobs and receive a monetary benefit; and

WHEREAS, the V-RIF would include severance pay as outlined in Section 14-V “Reduction in Force” of the personnel manual; and

WHEREAS, the V-RIF program shall be offered to employees to the extent that funds are available; and

WHEREAS, the positions in the V-RIF program would be based on the County Administrator’s approval and available funds;

NOW, THEREFORE, BE IT RESOLVED by the Stafford County Board of Supervisors on this the 3rd day of February, 2009, that the County Administrator be and he hereby is authorized to initiate a Voluntary Reduction-in-Force program for County employees.

Sheriff; Authorize a Lease for a Radio Communications Tower. Ms. Carol Adams, Director of Emergency Communications Center, and Wayne Stock of RCC Consultants, gave a presentation and responded to Board members questions.

Mr. Milde motioned, seconded by Mr. Dudenhefer, to adopt proposed Resolution R09-70.

Mr. Brito made a substitute motion, seconded by Mr. Sterling, to defer proposed Resolution R09-70 for 30 days.

The Voting Board tally on the substitute motion was:

Yea: (4) Sterling, Woodson, Brito, Crisp
Nay: (3) Schwartz, Dudenhefer, Milde

Finance; Reappropriate Funds from FY2008 to FY2009 for Operating Encumbrances and Incomplete Commitments for General Government. Mr. Sterling commented.

The County Administrator commented further.

Mr. Sterling motioned, seconded by Mr. Dudenhefer, to adopt proposed Resolution R09-72.

The Voting Board tally was:

Yea:	(5)	Sterling, Brito, Crisp, Dudenhefer, Schwartz
Nay:	(0)	
Absent:	(2)	Milde, Woodson

Resolution R09-72 reads as follows:

A RESOLUTION TO REAPPROPRIATE FUNDS FROM FY 2008
TO FY 2009 FOR OPERATING PURCHASE ORDERS AND
INCOMPLETE COMMITMENTS

WHEREAS, Section 15.2-2506 of the Code of Virginia (1950), as amended, stipulates that appropriations be approved for a maximum period of one (1) fiscal year and that appropriations lapse at fiscal year end; and

WHEREAS, the County has executed orders or contracts for the purchase of goods and services that were not received by June 30, 2008, and for which funding was provided in prior years; and

WHEREAS, various projects approved and funded in prior years were not complete by June 30, 2008;

NOW, THEREFORE, BE IT RESOLVED by the Stafford County Board of Supervisors on this the 3rd day of February, 2009 that the amounts for outstanding encumbrances and incomplete projects as of June 30, 2008, be and they hereby are appropriated to Fiscal Year 2009 as follows:

GENERAL FUND

Operating Encumbrances	\$ 1,557,124
Incomplete Commitments	<u>211,509</u>
	\$ 1,768,633

TRANSPORTATION FUND

Operating Encumbrances	\$ <u>137,585</u>
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TOURISM FUND

Operating Encumbrances	\$ <u>121,929</u>
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UTILITIES FUND

Operating Encumbrances	\$ <u>752,281</u>
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Recess. At 3:30 P. M., the Chairman declared a recess.

Call to Order. At 3:45 P.M., the Chairman called the meeting back to order.

Transportation; Discuss Virginia Railway Express 2010 Budget. Mr. Fulton DeLamorton, Transportation Administrator, commented.

Mr. Dale Zehner, Chief Executive Officer of Virginia Railway Express, gave a presentation and responded to Board members questions.

Presentation by FRED Transit Authority Regarding Ridership and Rate Changes. Mr. Fulton DeLamorton, Transportation Administrator, commented.

Mr. Arnold Levine, Policy and Planning, and Ms. Kathy Beck, Director of Public Transit, Fredericksburg Regional Transit, gave a presentation and responded to Board members questions.

Discussion ensued.

Mr. Milde motioned, seconded by Mr. Dudenhefer, to recommend a fare increase to at least \$.50.

The Voting Board tally was:

Yea: (7) Woodson, Brito, Crisp, Dudenhefer, Milde, Schwartz, Sterling

Nay: (0)

Legislative; Presentation by George Washington Regional Commission on Neighborhood Stabilization Program Agreement. Mr. Kevin Byrnes, Director of Regional Planning and Regional Demographics, George Washington Regional Commission, gave a presentation and responded to Board members questions.

Discussion ensued.

Mr. Dudenhefer motioned, seconded by Mr. Woodson, to adopt proposed Resolution R09-81.

The Voting Board tally was:

Yea: (7) Brito, Crisp, Dudenhefer, Milde, Schwartz, Sterling, Woodson
Nay: (0)

Resolution R09-81 reads as follows:

A RESOLUTION TO APPROVE THE REGIONAL NEIGHBORHOOD
STABILIZATION PROGRAM (NSP) AGREEMENT AND SELECTION
OF A RESPONSIBLE ORGANIZATION TO ADMINISTER THE REGIONAL
PROGRAM

WHEREAS, the Federal government allocated approximately \$38 million dollars to the Virginia Department of Housing and Community Development (DHCD) to help local governments through the Housing and Economic Recovery Act of 2008 (HERA), further defined as the Neighborhood Stabilization Program (NSP); and

WHEREAS, on November 20, 2008, the Stafford County Board of Supervisors approved the regional Memorandum of Understanding for Affordable Housing proposed by the George Washington Regional Commission (GWRC) and its Affordable Housing Task Force (AHTF); and

WHEREAS, the GWRC issued a Request for Proposals (RFP) for Regional NSP Management Services as a cooperative procurement on behalf of the member jurisdictions of Planning District 16 to eligible non-profit organizations and received one qualified proposal submission from the Central Virginia Housing Coalition (CVHC); and

WHEREAS, Stafford County and other local governments have determined that a regional application for these funds is the best means of applying for available Neighborhood Stabilization Program (NSP) funds; and

WHEREAS, on January 26, 2009, the GWRC approved Resolution 09-02, which resolution: 1) endorsed the regional Neighborhood Stabilization Program (NSP)

Agreement developed by the AHTF, and 2) names the Central Virginia Housing Coalition as the provider of regional NSP management services and recommends the CVHC as the Responsible Organization to coordinate and apply for NSP grant funding on behalf of interested local governments; and

WHEREAS, the Virginia Department of Housing and Community Development (DHCD) requires a resolution from local governments designating an eligible non-profit organization to act on its behalf if it does not wish to apply for NSP funds directly; and

WHEREAS, DHCD asks that said local resolution identify neighborhoods to be targeted for the use of NSP funds and the local representatives to serve on the NSP project management team;

NOW, THEREFORE BE IT RESOLVED by the Stafford County Board of Supervisors on this the 3rd day of February, 2009, that the Board be and it hereby does approve the Regional NSP Agreement with the Central Virginia Housing Coalition to act as the Responsible Organization to apply for and expend NSP funds on the County's behalf; and

BE IT FURTHER RESOLVED, that the Stafford County Board of Supervisors authorizes the County Administrator to execute this regional NSP Agreement, subject to approval to form by the County Attorney and select appropriate County staff to serve on the regional NSP project management team; and

BE IT STILL FURTHER RESOLVED, that the Stafford County Board of Supervisors authorizes the County Administrator to work through the County's representatives and the regional NSP project management team to select neighborhoods where the NSP funds can be most efficiently used to restore neighborhood stability and achieve maximum program effectiveness.

Finance; Reappropriate Funds from FY2008 to FY2009 for Operating Encumbrances and Incomplete Commitments for Schools. Ms. Maria Perrotte, Chief Financial Officer, gave a presentation and responded to Board members questions.

Ms. Patricia Healy, Chairman, and Ms. Nanette Kidby, Vice Chairman, Stafford School Board, commented further.

Discussion ensued.

Mr. Sterling motioned, seconded by Mr. Woodson, to adopt proposed Resolution R09-71 with changes.

The Voting Board tally was:

Yea: (7) Crisp, Dudenhefer, Milde, Schwartz, Sterling, Woodson, Brito

Nay: (0)

Resolution R09-71 reads as follows:

**A RESOLUTION TO REAPPROPRIATE FUNDS FROM
FY 2008 TO FY 2009 FOR SCHOOLS PURCHASE ORDERS**

WHEREAS, Section 15.2-2506 of the Code of Virginia (1950), as amended, stipulates that appropriations be approved for a maximum period of one (1) fiscal year and that appropriations lapse at fiscal year end; and

WHEREAS, the Schools have executed orders or contracts for the purchase of goods and services that were not received by June 30, 2008, and for which funding was provided in prior years; and

WHEREAS, various projects approved and funded in prior years were not complete by June 30, 2008;

NOW, THEREFORE, BE IT RESOLVED by the Stafford County Board of Supervisors on this the 3rd day of February, 2009, that the amounts for outstanding encumbrances as of June 30, 2008, be and they hereby are appropriated to Fiscal Year 2009 as follows:

SCHOOLS

Operating Fund	\$ 7,396,303
Nutrition Fund	43,751
Fleet Services Fund	4,150
Construction Fund	<u>9,932,140</u>
	\$ 17,376,344

Legislative; Endorse the Virginia Association of Counties Recommendations on the State Budget. Mr. Anthony Romanello, County Administrator, gave a presentation and responded to Board members questions.

Mr. Brito motioned, seconded by Mr. Woodson, to adopt proposed Resolution R09-86.

Discussion ensued.

Mr. Sterling made a substitute motion, seconded by Mr. Dudenhefer, to adopt proposed Resolution R09-86 with a change.

The Voting Board tally was:

Yea: (5) Milde, Sterling, Brito, Crisp, Dudenhefer
 Nay: (2) Schwartz, Woodson

Resolution R09-86 reads as follows:

A RESOLUTION TO ENDORSE THE VIRGINIA ASSOCIATION
OF COUNTIES RECOMMENDATIONS ON THE STATE BUDGET

WHEREAS, the County of Stafford is committed to ensuring fiscal sustainability at the local and state levels of government because fiscal sustainability enables the Commonwealth and its local governments to provide high quality, cost effective, core public services that benefit Virginians today and for generations to come; and

WHEREAS, the current difficult economic and financial times require government, at all levels, to evaluate service delivery responsibilities and to determine the continued importance of programs meeting critical needs; and

WHEREAS, the Commonwealth must resolve an estimated 2009 and 2010 biennial revenue shortfall approaching \$3 billion that may in fact continue to escalate in the near term; and

WHEREAS, the County of Stafford must resolve significant local revenue shortfalls for these periods as well; and

WHEREAS, the Commonwealth's General Fund supports most critical core government services including public education, health and human resources, including the Comprehensive Services Act, public safety, natural resources and environmental services by dedicating almost 50 percent of the state's General Fund to local governments (with 74 percent of this funding supporting K-12 public education); and

WHEREAS, if one level of government establishes and ensures a priority, it is then incumbent upon that level of government to adequately fund the services necessary to meet that priority; and

WHEREAS, the current economic environment threatens the sustainability of these critical core public services if the Commonwealth is required to reduce its

contribution to the financial partnership between the state and its local governments including the County of Stafford; and

WHEREAS, specific and necessary state budget reductions may impact a wide array of core public services, including but not limited to public education, the Comprehensive Service Act, and public safety, and many local governments, including the County of Stafford, will absorb significant state reductions in 2009 and may be compelled to increase real property taxes to help ensure the continuation of vital core public services; and

WHEREAS, the County of Stafford stands ready to partner with the Commonwealth to make the difficult budgetary decisions required, including thoroughly evaluating programs and working together to maintain a structural balance between revenues and expenditures that promotes the long-term viability of our Commonwealth;

NOW, THEREFORE, BE IT RESOLVED by the Stafford County Board of Supervisors on this the 3rd day of February 2009 that the Board be and it hereby does offer the following budget and revenue recommendations for the 2009 legislative session to the Governor and Virginia General Assembly including The Honorable Richard H. Stuart, The Honorable William J. Howell, and The Honorable Mark L. Cole.

- Oppose the enactment of new unfunded and under-funded state mandates that will impose new costs on local governments. Additionally, consider repealing specific, unfunded and under-funded state mandates. In the area of public education, the Governor and Virginia General Assembly should consider providing localities and school districts maximum flexibility to i) suspend specific mandates and ii) manage specific public education reductions.
- Enact a law authorizing equal taxing authority for counties. Counties should be enabled, like cities and towns, to institute specific taxes, including a meals tax without a referendum. The new sources of revenue would be tailored to the

needs of a jurisdiction and could help local governments protect adequate funding for the core government services including K-12 public education, and reduce county dependence on property taxes.

- Consider additional possibilities for mitigating the impact of state cuts on local governments. Local governments will have to make significant cuts in services because of flat or decreasing real estate revenues. Permit local governments, at their option, to implement a one-half percent increase in the sales tax as a way to minimize the potential burden passed on to homeowners through increased real property taxes.

BE IT FURTHER RESOLVED that the Board of Supervisors of the County of Stafford be and it hereby does offer these recommendations in the spirit of compromise and partnership to the Governor and Virginia General Assembly including The Honorable Richard H. Stuart, The Honorable William J. Howell, and The Honorable Mark L. Cole.

Recess. At 5:45 P.M., the Chairman declared a recess until 7:00 P.M.

Call to Order. At 7:04 P.M., the Chairman called the meeting back to order.

Invocation. Mr. Schwartz gave the Invocation.

Pledge of Allegiance. Mr. Schwartz led in the recitation of the Pledge of Allegiance to the Flag of the United States of America.

Planning and Zoning; Appeal the Director of Planning and Zoning Decision Regarding Changes to the Hills of Aquia Section 2A Plat. Mr. Jeff Harvey, Director of Planning and Zoning, gave a presentation and responded to Board members questions.

Mr. Clark Leming, on behalf of the Applicant, commented.

The County Attorney commented further.

Mr. Sterling motioned, seconded by Mr. Milde, to defer proposed Resolution R09-80 to the next Board meeting.

Mr. Woodson made a substitute motion, seconded by Mr. Schwartz, to adopt proposed Resolution R09-80.

Discussion ensued.

A point of order was called, specifying the motion to defer took precedence.

The County Attorney affirmed.

The Voting Board tally on the original motion to defer was:

Yea: (4) Sterling, Brito, Dudenhefer, Milde

Nay: (3) Schwartz, Woodson, Crisp

Legislative; Presentations by the Public . No one desired to speak.

Legislative; Discuss Business, Professional, and Occupational License Tax (BPOL) General Fund Revenue Allocation. Mr. Schwartz motioned, seconded by Mr. Crisp, to adopt proposed Resolution R09-83.

Ms. Maria Perrotte, Chief Financial Officer, commented.

Discussion ensued.

Mr. Sterling made a substitute motion, seconded by Mr. Crisp, to adopt proposed Resolution R09-83 with a change.

Discussion further ensued.

The Voting Board tally on the substitute motion was:

Yea: (7) Brito, Crisp, Dudenhefer, Milde, Schwartz, Sterling, Woodson

Nay: (0)

Resolution R09-83 reads as follows:

A RESOLUTION TO AMEND ORDINANCE O08-76, WHICH AMENDED AND REORDAINED THE STAFFORD COUNTY CODE, CHAPTER 23, BY ADDING ARTICLE X, ENTITLED BUSINESS, PROFESSIONAL AND OCCUPATIONAL LICENSE FOR THE SOLE PURPOSE OF CHANGING THE ALLOCATION OF THE BPOL REVENUES

WHEREAS, at a meeting on July 1, 2008 the Board adopted Ordinance O08-64 which was an ordinance to Amend and Reordain the Stafford County Code, Chapter 23, by Adding Article X, Entitled Business, Professional and Occupational License (BPOL); and

WHEREAS, at a meeting on November 5, 2008 the Board adopted O08-76 which dedicated three-fourths of the revenues to be raised by the Business, Professional and Occupational License tax to the General Fund and one-fourth to the Transportation Fund; and

WHEREAS, the Board desires to further amend the dedication of the funds;

NOW, THEREFORE, BE IT RESOLVED by the Stafford County Board of Supervisors on this the 3rd day of February, 2009 that the Board be and it hereby does amend Ordinance O08-76 which Amended and Reordained the Stafford County Code,

Chapter 23, by Adding Article X, Entitled Business, Professional and Occupational License for the sole purpose of changing the allocation of BPOL revenues;

BE IT FURTHER RESOLVED that three-fourths of the revenues to be raised by the Business, Professional and Occupational License tax be dedicated to the General Fund and divided equally between the Schools, Fire and Rescue and Sheriff's Department budgets.

Legislative; Discuss Requesting the General Assembly for the Authority for the County to Levy a Cigarette Tax. Mr. Schwartz commented.

Hearing no objections from the Board, the Chairman will contact Delegate Bill Howell regarding the issue.

Legislative; Discuss Planning Commission Communications and Coordination. Mr. Crisp commented.

Mr. Crisp motioned, seconded by Mr. Sterling, to adopt proposed Resolution R09-93 with a change.

The Voting Board tally was:

Yea: (7) Crisp, Dudenhefer, Milde, Schwartz, Sterling, Woodson, Brito

Nay: (0)

Resolution R09-93 reads as follows:

A RESOLUTION TO EXPRESS CONCERN REGARDING FUNCTIONS,
POWERS AND DUTIES OF THE PLANNING COMMISSION

WHEREAS, a Planning Commission was established by the Stafford County Board of Supervisors in accordance with the mandate of the Virginia State Code; and

WHEREAS, the duties of a Planning Commission are defined by Sec 15.2-2221 of the Virginia State Code of Virginia, (1950) as amended and includes, among other duties, making recommendations and an annual report to the governing body, preparing and submitting an annual Planning Commission budget, and supervising the fiscal affairs and responsibilities of the Planning Commission; and

WHEREAS, the Stafford County Code does not elaborate on procedures of the Planning Commission in fulfilling the duties defined by the Virginia State Code; and

WHEREAS, there is a need for considerable communication and coordination between the Board of Supervisors and the Planning Commission;

NOW, THEREFORE, BE IT RESOLVED Now, therefore, be it resolved by the Stafford County Board of Supervisors on this the 3rd day of February, 2009 that the Planning Commission shall have the functions, powers and duties which are prescribed by State law.; and

BE IT FURTHER RESOLVED to effectuate these and to maintain close communications and coordination between the Planning Commission and the Board of Supervisors:

- (1) The Chair and Vice-Chair of the Board of Supervisors and the Planning Commission shall meet on a quarterly basis to review the status of all matters before the Planning Commission.
- (2) The Chair and Vice-Chair of the respective bodies shall provide a report to their members on the results of the aforesaid quarterly meeting.
- (3) The Director of Planning and Zoning in consultation with the Planning Commission will prepare and submit an annual public notification budget to the County Administrator in accordance with the procedures of the County's annual budget process.

- (4) The Director of Planning and Zoning will provide the Planning Commission with a monthly report of public notification expenditures and the Commission will manage its annual public notification budget in accordance with the County's fiscal rules and regulations.. Once the allocated funds have been expended for the fiscal year, the Planning Commission shall not initiate any additional expenditures until such funds have been appropriated.
- (5) The Chair of the Planning Commission shall make an annual report to the Board of Supervisors concerning the operation of the commission and the status of planning within Stafford County.

Legislative; A Resolution for Direction to the Planning Commission. Mr. Crisp motioned, seconded by Mr. Woodson, to rescind Resolution R08-568.

Mr. Milde made a substitute motion to take out reference to money.

Discussion ensued.

Mr. Milde withdrew the motion.

The Voting Board tally was:

Yea: (4) Schwartz, Woodson, Brito, Crisp
Nay: (3) Dudenhefer, Milde, Sterling

Legislative; Discuss Predatory Lending. Mr. Milde commented.

The County Administrator commented further.

Hearing no objections from the Board, staff was requested to further review the issue.

Legislative; Discuss Stafford Victory Garden Project. Mr. Brito commented.

Discussion ensued.

Hearing no objections from the Board, Mr. Crisp and Mr. Brito were appointed to a committee to further review.

Legislative; Declare September 28, 2009 as the Official Day of Recognition of Cynthia Montague, Dorethia Montague Pugh and William Braxton for their Integral Part in the Civil Rights Movement and Declare the Week of February 22-28, 2009 as National Association for the Advancement of Colored People (NAACP) Week in Stafford.

Mr. Sterling motioned, seconded by Mr. Woodson, to adopt proposed Proclamations P09-01 and P09-02.

The Voting Board tally was:

Yea: (7) Schwartz, Sterling, Woodson, Brito, Crisp, Dudenhefer, Milde

Nay: (0)

Proclamation P09-01 reads as follows:

A PROCLAMATION TO DECLARE SEPTEMBER 28, 2009, AS THE OFFICIAL DAY OF RECOGNITION OF CYNTHIA MONTAGUE, DORETHIA MONTAGUE PUGH AND WILLIAM BRAXTON FOR THEIR INTEGRAL PART IN THE CIVIL RIGHTS MOVEMENT

WHEREAS, the County of Stafford proudly acknowledges the National Association for the Advancement of Colored People (NAACP) celebration of its one hundredth year anniversary; and

WHEREAS, the Board desires to say “thank you” to them for honoring persons in the Stafford County community who played an integral part in the civil rights movement; and

WHEREAS, the County joins the Stafford County NAACP in bestowing its congratulations to the following honorees:

Ms. Cynthia Montague

Mrs. Dorethia Montague Pugh

Mr. William Braxton

WHEREAS, the Board offers its heartfelt gratitude to these honorees for their courage and fortitude to walk onto the Stafford Elementary School grounds on September 5, 1961, which marked the first desegregation of schools in the Fredericksburg, Virginia area;

NOW, THEREFORE, BE IT PROCLAIMED by the Stafford County Board of Supervisors on this the 3rd day of February, 2009, that the Board be and hereby does declare September 28, 2009, as the official day of recognition of the noted Honorees.

Proclamation P09-02 reads as follows:

A PROCLAMATION TO DECLARE THE WEEK OF
FEBRUARY 22 - 28, 2009, AS NATIONAL ASSOCIATION
FOR THE ADVANCEMENT OF COLORED PEOPLE
(NAACP) WEEK IN STAFFORD

WHEREAS, the County of Stafford proudly acknowledges the National Association for the Advancement of Colored People (NAACP) celebration of its one hundredth year anniversary; and

WHEREAS, it is the NAACP mission to ensure the political, educational, social and economic equality of rights of all persons and to eliminate racial hatred and racial discrimination; and

WHEREAS, it is the vision of NAACP to ensure a society in which all individual have equal rights and there is no racial hatred or racial discrimination; and

WHEREAS, the NAACP seeks enactment and enforcement of federal, state, and local laws securing civil rights; and

WHEREAS, the NAACP informs the public of the adverse effects of racial discrimination and to seek its elimination; and

WHEREAS, the NAACP members have saved lives and changed many negative aspects of American society; and

WHEREAS, the Board desires to say “thank you” to the Stafford County NAACP for its accomplishments and continuous support of the Stafford area Community;

NOW, THEREFORE, BE IT PROCLAIMED by the Stafford County Board of Supervisors on this the 3rd day of February, 2009 that the Board be and it hereby does proclaim the Week of February 22 - 28, 2009 as National Association for the Advancement of Colored People (NAACP) Week in Stafford.

Legislative; Waive Permit Fees for Volunteer Fire and Rescue. Mr. Brito commented.

Mr. Brito motioned, seconded by Mr. Milde, to reimburse the Fire and Rescue permit fees for Hartwood, Brooke and Mountain View.

The County Administrator commented.

Discussion ensued.

Mr. Dudenhefer made a substitute motion, seconded by Mr. Schwartz, to request that staff provide an analysis on the issue and report back.

Discussion further ensued.

The Voting Board tally on the substitute motion was:

Yea: (3) Woodson, Dudenhefer, Schwartz

Nay: (4) Brito, Crisp, Milde, Sterling

The Voting Board tally on the original motion was:

Yea: (5) Sterling, Woodson, Brito, Crisp, Milde

Nay: (2) Dudenhefer, Schwartz

Legislative; Discuss Comprehensive Plan Update. Mr. Jeff Harvey, Director of Planning and Zoning and Mr. Mike Zuraf, Senior Planner, gave a presentation.

Mr. Peter Fields, Chairman of the Planning Commission and Mr. Archer DiPeppe, Vice Chairman of the Planning Commission, commented further.

Discussion ensued.

Legislative; Closed Meeting. At 10:15 P.M., Mr. Milde motioned, seconded by Mr. Crisp, to adopt proposed Resolution CM09-03.

The Voting Board tally was:

Yea: (7) Brito, Crisp, Dudenhefer, Milde, Schwartz, Sterling, Woodson

Nay: (0)

Resolution CM09-03 reads as follows:

A RESOLUTION TO AUTHORIZE CLOSED MEETING

WHEREAS, the Board of County Supervisors desires to consult with counsel and discuss in Closed Meeting a personnel matter regarding appointment to Community Policy Management Team (CPMT); and legal advice regarding County Comprehensive Plan Advertisement issues; and

WHEREAS, pursuant to Section 2.2-3711 A.1 and A.7, Va. Code Ann., such discussions may occur in Closed Meeting;

NOW, THEREFORE, BE IT RESOLVED that the Stafford Board of Supervisors, on this the 3rd day of February, 2009, does hereby authorize discussions of the aforesated matters in Closed Meeting.

Call to Order. At 10:33 P. M. the Chairman called the meeting back to order.

Legislative; Closed Meeting Certification. Mr. Dudenhefer motioned, seconded by Mr. Sterling, to adopt proposed Resolution CM0903a.

The Voting Board tally was:

Yea: (7) Crisp, Dudenhefer, Milde, Schwartz, Sterling, Woodson, Brito

Nay: (0)

Resolution CM09-03a a reads as follows:

A RESOLUTION TO CERTIFY THE ACTIONS OF THE STAFFORD
COUNTY BOARD OF SUPERVISORS IN A CLOSED MEETING ON
FEBRUARY 3, 2009

WHEREAS, the Board has, on this the 3rd day of February, 2009, adjourned into a closed meeting in accordance with a formal vote of the Board and in accordance with the provisions of the Virginia Freedom of Information Act; and

WHEREAS, the Virginia Freedom of Information Act, as it became effective July 1, 1989, provides for certification that such Closed Meeting was conducted in conformity with law;

NOW, THEREFORE, BE IT RESOLVED that the Stafford County Board of Supervisors does hereby certify, on this the 3rd day of February, 2009, that to the best of each member's knowledge: (1) only public business matters lawfully exempted from open meeting requirements under the Virginia Freedom of Information Act were discussed in the Closed Meeting to which this certification applies; and (2) only such public business matters as were identified in the Motion by which the said Closed Meeting was convened were heard, discussed, or considered by the Board. No member dissents from the aforesaid certification.

Adjournment. At 10:35 P.M., the Chairman declared the meeting adjourned.

Anthony J. Romanello, ICMA-CM
County Administrator

George H. Schwartz
Chairman